

**REMARKS****Summary of the Office Action**

In the Final Office Action dated April 22, 2003, claims 15-17 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Japanese Patent No. 10-233397 to Sudipto et al. (hereinafter Sudipto). Claim 18 is withdrawn from consideration.

**Summary of the Response to the Office Action**

Applicant traverses the rejection of the claims and respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims.

**The Rejection under 35 U.S.C. §102(e)**

Claims 15-17 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Sudipto. Applicant respectfully submits that Sudipto should not be considered as prior art in the present application under any subsection of 35 U.S.C. § 102 or 35 U.S.C. § 103 for the following reasons.

On February 17, 1999, Applicant filed a Claim for Priority and a Certified copy of Japanese Patent Application No. 10-037178 in prior U.S. Application No. 09/251,425 of which the instant application is a Divisional. The Priority Document, Japanese Patent Application No. 10-037178, was filed in Japan on February 19, 1998. Pursuant to 37 C.F.R. § 1.55(a), Applicant submits concurrently herewith a verified translation of Japanese Patent Application No. 10-037178. The Japanese publication date of Sudipto is September 2, 1998 which is after the

priority date to which this application is entitled. Accordingly, Applicant respectfully submits that Sudipto should not be considered as prior art in the present application under any subsection of 35 U.S.C. § 102 or 35 U.S.C. § 103.

In view of the foregoing remarks, Applicant respectfully submits that the rejection of claims 15-17 under 35 U.S.C. §102(e) should be withdrawn for at least the reason that Sudipto no longer qualifies as prior art against this application.

#### **Conclusion**

In view of the foregoing remarks, Applicant respectfully requests reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution.

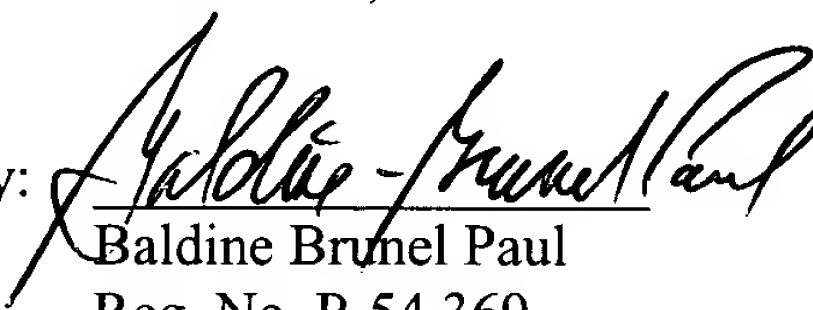
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: August 5, 2003

By:

  
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